

TUESDAY, MAY 7, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

The roll being called, the following Senators answered to their names:

Mr. President, Messrs. Adams, Baker, Blitch, Broome, Butler, Carson, Cottrell, Crews, Crill, Dimick, Harris, Kirk, Law, Miller, McCaskill, McCreary, Neel, O'Brien, Palmer of 14th, Peacock, Whidden, Sams, Wilson of 4th, Wilson of 7th, Wadsworth and Williams—27.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal was corrected as approved.

### INTRODUCTION OF RESOLUTIONS.

Mr. Broome, Chairman of the Special Committee appointed to draft suitable resolutions of respect on the death of Adjutant-General Patrick Houstoun, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Committee to draft suitable resolutions expressive of the sense of the Senate in reference to the death of Adjutant-General P. Houstoun, present the following:

Whereas, it has pleased Almighty God to remove from us by death General P. Houstoun, Adjutant-General of the State, and a distinguished citizen; and

Whereas, it is proper that the Senate should give some public expression of its feelings and sympathies on so mournful an occasion: Therefore, be it

Resolved, That we tender our deepest sympathies to the family in this, the hour of their great bereavement, with the hope that they may receive consolation in the knowledge that the character and virtues of the deceased were fully known and properly appreciated by his fellow-citizens.

Be it further resolved, That by the death of Gen. Houstoun, the State has been deprived of one of her most useful, exemplary and public-spirited citizens, one whose public and private virtues are worthy of respect and emulation; and if

to love one's country, to obey its laws, to defend its rights, and to labor in the promotion of its interests be deserving of public commendation, then do we award him our praises, for he possesses those virtues in which both the public officer and the private citizen are so absolutely necessary for the preservation of our republican institutions and the success of popular government.

Be it further resolved, That the Secretary be requested to transmit a copy of these resolutions to the family of the deceased.

Very respectfully,

JAMES E. BROOME,

Chairman of Committee.

Mr. Broome moved the adoption of the report, and that it be spread upon the Journal.

Which was agreed to.

## INTRODUCTION OF BILLS.

By Mr. Baker:

Senate Bill No. 230:

A bill to be entitled an act to prescribe and enlarge the powers of the city council of Ocala, in relation to licenses and taxes upon any and all professions, business and occupations carried on or managed in said city.

Which was read the first time by its title and referred to the Committee on City and County Organization.

By Mr. Baker:

Senate Bill No. 231.

A bill to be entitled an act for the relief of Tullies E. Biggs, for services as stenographer in Circuit Court, Marion county.

Which was read the first time by its title and referred to the Committee on Claims.

By Mr. Baker:

Senate Bill No. 232:

A bill to be entitled an act to amend Sections 875 and 877 of the Revised Statutes of Florida, relating to fences.

Which was read the first time by its title and referred to the Committee on Agriculture.

By Mr. Palmer of 14th:

Senate Bill No. 233:

A bill to be entitled an act to authorize any person, association or union of workingmen, to adopt and use a label or trade-mark, to protect the same by law, to provide for its re-

record, to prevent counterfeiting the same, or using the original or any package containing the same; and to prevent using the name or seal thereof without authority, and fixing penalties for violations thereof.

Which was read the first time by its title and referred to the Committee on Organized Labor.

By Mr. Crill:

Senate Bill No. 234:

A bill to be entitled an act to enable cities, towns and villages incorporated under any general or special law of this State, to fix the rates and charges for the supply of water furnished by any individual, company or corporation to any such city, town or village and the inhabitants thereof.

Which was read the first time by its title and referred to the Committee on City and County Organization.

By Mr. Crill:

Senate Bill No. 235:

A bill to be entitled an act to provide for the issuing of certificates by the Cattle Inspectors mentioned in Chapter 4048, Laws of Florida, approved June 12, 1891, to butchers, sellers or peddlers of butchered beef, and to provide penalties for failure to exhibit such certificates.

Which was read the first time by its title and referred to the Committee on Agriculture.

By Mr. Blitch:

Senate Bill No. 236:

A bill to be entitled an act to amend Section 13 of Chapter 4192 of the Laws of Florida, entitled an "act to prescribe rules and regulations for licensing teachers; to provide for uniform examinations; to secure fairness in examinations, and in issuing teachers' certificates, and for other purposes.

Which was read the first time by its title and referred to the Committee on Education.

## CONSIDERATION OF RESOLUTIONS.

House Concurrent Resolution No. 15:

Resolved by the House of Representatives, the Senate Concurring, That a committee of five, to consist of three upon the part of the House and two on the part of the Senate, be appointed to consider and report what action should be and can be taken for the relief of sufferers from the Jacksonville fire.

Was taken up and read a second time.

Mr. Carson moved the adoption of the resolution.

Which was agreed to.

The President appointed Messrs. Sams and Williams as the Committee on the part of the Senate under the above resolution.

Mr. Carson moved that the rules be waived and the action of the Senate on House Concurrent Resolution No. 15 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote, and House Concurrent Resolution No. 15 was so certified.

A message was received from the House of Representatives.

## REPORTS OF COMMITTEES.

Mr. Baker, Chairman of the Committee on Game, submitted the following report:

Senate Chamber.

Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Committee on Game, to whom was referred—  
House Bill No. 193:

A bill to be entitled an act for the preservation of wild deer, birds and other game, and to prescribe the time within which they may be hunted, and prescribing a penalty for any violation thereof.

Beg leave to report that they have carefully examined the same and recommend that it do not pass.

Very respectfully,

D. H. BAKER,

Chairman of Committee.

And House Bill No. 193 contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Kirk moved that the rules be waived and messages from the House of Representatives be taken up.

Which was agreed to by a two-thirds vote.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—I am directed by the House of Representatives to in-

form the Senate that the House of Representatives has passed—

Senate Bill No. 222:

A bill to be entitled an act to appropriate twenty thousand dollars for the relief of the city of Jacksonville, Florida.

With an amendment.

After the words "twenty thousand dollars" in the body of the bill add the words "or so much thereof as shall be necessary."

And respectfully requests the concurrence of the Senate therein.

Very Respectfully,  
WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

Mr. Kirk moved that the Senate concur in the House amendment to Senate Bill No. 222.

Which was agreed to.

And Senate Bill No. 222, contained in the above message, as amended, was referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 6, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

Committee Substitute for Senate Bill No. 8:

A bill to be entitled an act to give the prosecuting attorney of County Courts the right of process for witnesses, and to empower him to administer oaths, and to take the recognition of witnesses.

Very respectfully,  
WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

And Senate Bill No. 8, contained in the above message, was referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 6, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

Senate Bill No. 190:

A bill to be entitled an act to validate, ratify, confirm and approve actions of County Commissioners in relation to the laying out, grading, constructing and paving, and making contracts in relation to the same, of paved, macadamized or rock public highways, roads and boulevards.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 190, contained in the above message, was referred to the Committee on Enrolled Bills.

The Senate recurred to

#### REPORTS OF COMMITTEES.

Mr. Peacock, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Joint Committee on Enrolled Bills, to whom was referred—

An act to amend Section 1 of Chapter 4147 of the Laws of the State of Florida, entitled an act to regulate the carrying of fire arms, approved June 2, 1893.

Also,

An act to authorize the Supreme Court of Florida to select commissioners to assist the court in the performance of its duties, and prescribing the duties of such commissioners, and providing for their compensation.

Beg leave to report that the same has been duly signed by the Speaker and Chief Clerk of the House of Representatives, and is herewith presented for the signatures of the President and Secretary of the Senate.

Very respectfully,

J. M. N. PEACOCK,  
Chairman of Committee.

Mr. Peacock, Chairman of the Committee on Enrolled Bills, submitted the following report:

Senate Chamber.

Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Committee on Enrolled Bills, to whom was referred—

An act to appropriate twenty thousand dollars for the relief of the city of Jacksonville, Florida.

Have carefully examined the same, and find it correctly enrolled.

Very respectfully,

J. M. N. PEACOCK,

Chairman of Committee.

The act contained in the above report was ordered referred to the Joint Committee on Enrolled Bills.

Mr. Peacock, Chairman of the Committee on Enrolled Bills, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Committee on Enrolled Bills, to whom was referred—

An act to extend the time for the building and completion of the South American and International Railroad.

Also,

An act to amend Sections 1 2 and 3 of Chapter 4774, Laws of Florida, being an act to provide for working, repairing and maintaining the public roads and bridges in Levy county by contracts, and to provide penalties for failure thereof, approved April 27, 1899.

Have examined the same and found them correctly enrolled.

Very respectfully,

J. M. N. PEACOCK,

Chairman of Committee.

The acts contained in the above report, were ordered referred to the Joint Committee on Enrolled Bills.

Mr. Dimick, Acting Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Committee on Finance and Taxation, to whom was referred—

Senate Bill No. 212:

A bill to be entitled an act to provide for the collection of poll taxes.

Beg to report that they have carefully considered the same, and recommend that it do not pass.

Very respectfully,

E. N. DIMICK,

Acting Chairman of Committee.

And Senate Bill No. 212, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Peacock, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Joint Committee on Enrolled Bills, to whom was referred—

An act to appropriate twenty thousand dollars for the relief of the city of Jacksonville, Florida.

Have examined the same and find it correctly enrolled.

Very respectfully,

J. M. N. PEACOCK,

Chairman of Committee.

The act contained in the above report, was ordered referred to the Joint Committee on Enrolled Bills, to be conveyed to the House of Representatives for the signature of the Speaker and Chief Clerk thereof.

Mr. Peacock, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Joint Committee on Enrolled Bills, to whom was referred—



An act to extend the time for the building and completion of the South American and International Railroad.

Also,

An act to amend Sections 1 2 and 3 of Chapter 4774, Laws of Florida, being an act to provide for working, repairing and maintaining the public roads and bridges in Levy county by contracts, and to provide penalties for failure thereof, approved April 27, 1899.

Have examined the same and find them correctly enrolled.

Very respectfully,

J. M. N. PEACOCK,

Chairman of Committee.

The acts contained in the above report, were ordered referred to the Joint Committee on Enrolled Bills, to be conveyed to the House of Representatives for the signature of the Speaker and Chief Clerk thereof.

Mr. Dimick, Chairman of the Committee on Appropriations, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Committee on Appropriations, to whom was referred—

Senate Bill No. 158:

A bill to be entitled an act to appropriate five thousand dollars to defray the expense of and maintain an exhibit at the Pan-American Exposition, at Buffalo, New York.

Beg to report that they have carefully considered the same, and recommend that it do pass.

Very respectfully,

E. N. DIMICK,

Chairman of Committee.

And Senate Bill No. 158, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Dimick, Chairman of the Committee on Appropriations, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Committee on Appropriations, to whom was referred—

Senate Bill No. 224:

A bill to be entitled an act to provide for the participation

of the State of Florida in the South Carolina Inter-State and West Indian Exposition, and making an appropriation therefor.

Beg leave to report that they have carefully considered the same, and recommend that it do pass.

Very respectfully,

E. N. DIMICK,

Chairman of Committee.

And Senate Bill No. 224, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Peacock, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber.

Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Joint Committee on Enrolled Bills, to whom was referred—

An act to appropriate twenty thousand dollars for the relief of the city of Jacksonville, Florida.

Beg to report that the same has been presented to the House of Representatives for the signatures of the Speaker and Chief Clerk thereof.

Very respectfully,

J. M. N. PEACOCK,

Chairman of Committee.

Mr. Peacock, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Joint Committee on Enrolled Bills, to whom was referred—

An act to extend the time for the building and completion of the South American and International Railroad.

Also,

An act to amend Sections 1 2 and 3 of Chapter 4774, Laws of Florida, being an act to provide for working, repairing and maintaining the public roads and bridges in Levy county by contracts, and to provide penalties for failure thereof, approved April 27, 1899.

Beg to report that the same has been presented to the

House of Representatives for the signatures of the Speaker and Chief Clerk thereof.

Very respectfully,

J. M. N. PEACOCK,  
Chairman of Committee.

Mr. Butler, Acting Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 188:

A bill to be entitled an act requiring the owners of water-logged or sunken logs in the waters of the Suwannee River to remove the same, and providing a penalty for failure thereof.

Have carefully considered same and find it correctly engrossed.

Very respectfully,

P. W. BUTLER,

Acting Chairman of Committee.

And Senate Bill No. 188, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Blitch, Acting Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber.

Tallahassee, Fla., May 6, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 40:

A bill to be entitled an act to reimburse the county of Lake for certain criminal costs and expenses paid prior to the adoption of the amendment to Section 9 of Article XVI of the Constitution.

Have examined the same and find it correctly engrossed.

Very respectfully,

N. A. BLITCH,

Acting Chairman of Committee.

And Senate Bill No. 40, contained in the above report, was placed on the Calendar of bills on third reading.

Mr. Peacock, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Joint Committee on Enrolled Bills, to whom was referred—

An act to extend the time for the building and completion of the South American and International Railroad.

Also,

An act to amend Sections 1 2 and 3 of Chapter 4774, Laws of Florida, being an act to provide for working, repairing and maintaining the public roads and bridges in Levy county by contracts, and to provide penalties for failure thereof, approved April 27, 1899.

Beg to report that the same has been presented to the House of Representatives for the signatures of the Speaker and Chief Clerk thereof.

Very respectfully,  
J. M. N. PEACOCK,  
Chairman of Committee.

Mr. Peacock, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Joint Committee on Enrolled Bills, to whom was referred—

An act to appropriate twenty thousand dollars for the relief of the city of Jacksonville, Florida.

Beg to report that the same has been duly signed by the Speaker and Chief Clerk of the House of Representatives, and is herewith presented to the Senate for the signatures of the President and Secretary thereof.

Very respectfully,  
J. M. N. PEACOCK,  
Chairman of Committee.

## ENROLLED.

The President announced that he was about to sign—

An act to appropriate twenty thousand dollars for the relief of the city of Jacksonville, Florida.

The act was therefore duly signed by the President and Secretary of the Senate, and ordered returned to the Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

Mr. Blitch, Acting Chairman of the Committee on Engrossed Bills, submitted the following report

Senate Chamber,  
Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 189:

A bill to be entitled an act to regulate the capture of fish in the waters of the State of Florida, and to protect the fish, and to provide a penalty for the violation of the provisions of this act.

Have carefully examined the same and find it to be correctly engrossed.

Very respectfully,

N. A. BLITCH,

Acting Chairman of Committee.

And Senate Bill No. 189, contained in the above report, was placed on the Calendar of bills on third reading.

Mr. Blitch Acting Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer.

*President of the Senate:*

Sir—Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 157:

A bill to be entitled an act to establish scholarships in the State Normal School, at DeFuniak Springs, and to make appropriation therefor.

Also,

Senate Bill No. 205:

A bill to be entitled an act for the relief of W. C. Hargrove, former tax collector of Putnam county, Florida.

Also,

Senate Bill No. 197:

A bill to be entitled an act for the relief of John D. Tucker, for services as stenographer in Circuit court of Jefferson county, Florida.

Also,

Senate Bill No. 195:

A bill to be entitled an act to amend Section 12, Chapter 4322, Laws of Florida, entitled an act for the assessment and collection of revenue, approved June 1, 1895.

Have carefully examined the same and find them correctly engrossed.

Very respectfully,

N. A. BLITCH.

Acting Chairman of Committee

And Senate Bills Nos. 157, 205, 197 and 195, contained in the above report, were placed on the Calendar of bills on third reading.

Mr. Peacock, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Joint Committee on Enrolled Bills, to whom was referred—

An act to appropriate twenty thousand dollars for the relief of the city of Jacksonville, Florida.

Beg to report that the same has been presented to the Governor for his approval.

Very respectfully,

J. M. N. PEACOCK,

Chairman of Committee.

## ENROLLED.

The President announced that he was about to sign—

An act for the protection and preservation of food fish, to prohibit the catching or taking of fish with seines or drag nets and to prescribe the minimum length of bar and size of mesh for other nets, in the waters of the Indian River, the Banana River and Creek, the St. Lucie River and Sound and their tributaries, in Brevard and Dade counties.

Also,

An act to provide a penalty for selling liquors in counties or precincts voting against such sales, and to repeal Chapter

4746 of the Laws of Florida, approved June 2, A. D. 1899, the same being "an act entitled an act to amend Section 2634 of Article 14, Chapter 7, of the Revised Statutes of the State of Florida, relating to the selling of liquors in counties or precincts voting against such sales.

Also,

An act to amend Sections Six (6), nine (9), fourteen (14) and forty-five (45) of Chapter 4684, Laws of Florida, entitled an act to provide for and encourage the organization of a corps of volunteer militia for service as a land force, and to enforce the discipline therein; and to repeal Article 2, entitled "volunteer militia," and Article 3, entitled "Florida State Troops," of Chapter 1 of Title 8, of First Division of the Revised Statutes of the State of Florida, and Chapter 4042, Laws of Florida, entitled an act to amend "An act to Provide for and encourage the organization of a corps of volunteer militia and enforce the discipline," approved June 11, 1891, and Chapter 4167, Laws of Florida, entitled "An act to amend Section 6 of an act entitled an act to amend an act to provide for and encourage the organization of a corps of volunteer militia and enforce their discipline, approved June 11, 1891, and to further provide for and encourage the organization and discipline of said corps," approved June 2, 1893.

The acts were therefore duly signed by the President and Secretary of the Senate, and ordered returned to the Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

Mr. Peacock, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 6, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

An act for the protection and preservation of food fish, to prohibit the catching or taking of fish with seines or drag nets and to prescribe the minimum length of bar and size of mesh for other nets, in the waters of the Indian River, the Banana River and Creek, the St. Lucie River and Sound and their tributaries, in Brevard and Dade counties.

Also,

An act to provide a penalty for selling liquors in counties or precincts voting against such sales, and to repeal Chapter 4746 of the Laws of Florida, approved June 2, A. D. 1899, the same being "an act entitled an act to amend Section 2634 of Article 14, Chapter 7, of the Revised Statutes of the State

of Florida, relating to the selling of liquors in counties or precincts voting against such sales.

Also,

An act to amend Sections Six (6), nine (9), fourteen (14) and forty-five (45) of Chapter 4684, Laws of Florida, entitled an act to provide for and encourage the organization of a corps of volunteer militia for service as a land force, and to enforce the discipline therein; and to repeal Article 2, entitled "volunteer militia," and Article 3, entitled "Florida State Troops," of Chapter 1 of Title 8, of First Division of the Revised Statutes of the State of Florida, and Chapter 4042, Laws of Florida, entitled an act to amend "An act to Provide for and encourage the organization of a corps of volunteer militia and enforce the discipline," approved June 11, 1891, and Chapter 4167, Laws of Florida, entitled "An act to amend Section 6 of an act entitled an act to amend an act to provide for and encourage the organization of a corps of volunteer militia and enforce their discipline, approved June 11, 1891, and to further provide for and encourage the organization and discipline of said corps," approved June 2, 1893.

Beg to report that the same have been presented to the Governor for his approval.

Very respectfully,

J. M. N. PEACOCK,  
Chairman of Committee.

#### BILLS ON SECOND READING.

Senate Joint Resolution No. 96:

A Joint Resolution proposing an amendment to the Constitution of the State of Florida, in relation to the Legislature.

Was taken up.

And Senate Bill No. 96 was informally passed.

House Bill No. 147:

A bill to be entitled an act to prohibit the kidnapping of children with intent to extort money from the parents, guardian or persons having the custody of such child and to affix a penalty for violation thereof.

Was taken up and read a second time in full, together with the committee substitute therefor.

Mr. Wilson moved the adoption of the committee substitute for House Bill No. 147.

Which was agreed to.

Mr. Kirk moved that the rules be waived and Senate Sub-



stitute for House Bill No. 147 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 147, together with the Senate Substitute therefor, was placed on the Calendar of bills on third reading.

Senate Bill No. 200:

A bill to be entitled an act to amend Sections 29, 32, 35, 48 and 67 of Chapter 4322 of the Laws of Florida, entitled an act for the assessment and collection of revenue, approved June 1, 1895, as amended by Chapter 4515 of the Laws of Florida, approved June 5, 1897.

Was taken up and read a second time in full.

And Senate Bill No. 200 was informally passed.

Senate Bill No. 206:

A bill to be entitled an act to amend Section 1 of Chapter 4032, Laws of Florida, the same being an act entitled "an act in relation to obtaining money or any other personal property under false promises, or for violation of contracts, and providing penalties therefor," approved June 8, 1891.

Was taken up and read a second time in full.

Mr. Blitch offered the following amendment to Senate Bill No. 206:

Strike out the words 'one year' in Section 1, and insert in lieu thereof the following: "six months."

Mr. Blitch moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 206, as amended, was referred to the Committee on Engrossed Bills.

House Bill No. 187:

A bill to be entitled an act prohibiting certain unnatural practices and prescribing a penalty therefor.

Was taken up and read a second time in full, together with the Judiciary Committee substitute therefor.

Mr. Wilson of 7th moved the adoption of the committee substitute for House Bill No. 187:

Which was agreed to.

And Senate Substitute for House Bill No. 187 was read a first time.

Mr. Wilson of 7th moved that the rules be waived and that Senate Substitute for House Bill No. 187 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Substitute for House Bill No. 187 was read a second time by its title.

House Bill No. 187, together with the Senate Substitute therefor was placed on the Calendar of bills on third reading.

House Bill No. 59:

A bill to be entitled an act to require the several Boards of Public Instruction of the several counties of the State to make monthly reports of all receipts and disbursements of money to the County Commissioners of their respective counties.

Was taken up and read a second time in full.

Mr. Carson moved that House Bill No. 59 be indefinitely postponed.

Mr. Carson withdrew the motion.

Mr. Wilson of 4th offered the following amendment to House Bill No. 59:

Strike out Section 3.

Mr. Wilson of 4th moved the adoption of the amendment. Which was agreed to.

Mr. Wilson of 4th offered the following amendment to House Bill No. 59:

Strike out the figure "4" in Section 4, and insert in lieu thereof the following: "3."

Mr. Wilson of 4th moved the adoption of the amendment. Which was agreed to.

And House Bill No. 59, as amended, was placed on the Calendar of Bills on third reading.

House Bill No. 86:

A bill to be entitled an act to provide for the service of process upon unincorporated societies.

Was taken up and read a second time in full.

Mr. Wilson of 7th moved that House Bill No. 86 be indefinitely postponed.

Which was agreed to.

House Bill No. 29:

A bill to be entitled an act to amend Section 4 of Chapter 4338, Laws of Florida, being an act to provide for establishing, working and repairing, and maintaining the public roads and bridges of the several counties of this State, and to provide penalties for failure thereof.

Was taken up.

Mr. Wilson of 7th moved that House Bill No. 29 be indefinitely postponed.

Which was agreed to.

House Bill No. 118:

A bill to be entitled an act for the prevention of cruelty to

children and animals, and to rescue children from immoral surroundings.

Was taken up.

Mr. Wilson of 7th moved that House Bill No. 118 be indefinitely postponed.

Which was not agreed to.

House Bill No. 118 was then read a second time in full.

Mr. Crews moved that House Bill No. 118 be laid on the table subject to call.

Which was agreed to.

Mr. Carson moved that the rules be waived and the Senate recall from the Committee on Engrossed Bills Senate Bill No. 206, and place it back on second reading for amendment.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 206 was placed on second reading.

Pending which, the—

#### SPECIAL ORDER.

Senate Bill No. 215:

A bill to be entitled an act creating three Congressional Districts in the State of Florida, and defining the boundaries of same, and repealing Sections 57 and 58 of the Revised Statutes of the State of Florida.

Was taken up, the hour of 11 o'clock a. m., the time set for the consideration of the same, having arrived.

Mr. Palmer of 14th moved that Senate Bill No. 215 be laid on the table subject to call.

Which was not agreed to.

Mr. Adams moved that Senate Bill No. 215 be made a special order for Thursday, May 9, at 11 o'clock a. m.

Which was agreed to.

Senate Bill No. 206:

A bill to be entitled an act to amend Section 1 of Chapter 4032, Laws of Florida, the same being an act entitled "an act in relation to obtaining money or any other personal property under false promises, or for violation of contracts, and providing penalties therefor." approved June 8, 1891.

Under consideration when the special order was taken up, was again placed before the Senate.

Mr. Carson offered the following amendment to Senate Bill No. 206:

After the word "person" in second line, Section 1, insert the following: "who by false promises or with the intent to injure or to defraud, fraudulently obtains from another any money or personal property, or."

Mr. Carson moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 206, as amended, was ordered referred to the Committee on Engrossed Bills.

Mr. McCreary asked that Mr. Myers be excused from attendance to-day.

Mr. Myers was excused.

House Bill No. 92:

A bill to be entitled an act prohibiting judges of courts and prosecuting attorneys thereof to be partners in the practice of law, and judges from practicing law before such judges.

Was taken up and read a second time in full.

Mr. Harris offered the following amendment to House Bill No. 92:

After the word "any," where it last appears in line 2 of Section 2, insert the following: "State or municipal."

Mr. Harris moved the adoption of the amendment.

Which was agreed to.

And House Bill No. 92, as amended, was placed on the Calendar of bills on third reading.

Senate Bill No. 146:

A bill to be entitled an act to amend Section 1190 of the Revised Statutes of Florida, relating to property subject to levy and sale under execution.

Was taken up and read a second time in full.

And Senate Bill No. 146 was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 142:

A bill to be entitled an act for the better protection of range or stock cattle.

Was taken up and read the second time in full.

Mr. Law offered the following amendment to Senate Bill No. 142:

Add the words "or by imprisonment in the county jail for not more than three months nor less than one month, at the discretion of the court," after the word "dollars" in line 3 of Section 5.

Mr. Law moved the adoption of the amendment.

Which was agreed to.

Mr. Wilson of 7th offered the following amendment to Senate Bill No. 142:

"Strike out the enacting clause."

Mr. Wilson of 7th moved the adoption of the amendment.

Which was agreed to.

Senate Bill No. 155:

A bill to be entitled an act to establish a standard of weights and measures for the State of Florida.

Was taken up and read a second time in full.

And Senate Bill No. 155 was ordered referred to the Committee on Engrossed Bills.

House Bill No. 106:

A bill to be entitled an act to regulate weights of produce sold in the State of Florida.

Was taken up and read a second time in full, together with the following committee substitute therefor with the following title:

A bill to be entitled an act to require all merchants, commission merchants, provision dealers and storekeepers and all other persons selling or offering to sell flour, meal, grits, oats, corn, wheat, rye, bran, beans, potatoes and peanuts put up, placed and packed in sacks, bags or barrels to have marked, stamped or stenciled on the sacks, bags or barrels the exact weight thereof in pounds avoirdupois; and to prescribe penalties for failure to do so; and to prescribe penalties for marking, stamping and stenciling false weights.

Which was read the first time.

Mr. Adams offered the following amendment to Senate Substitute for House Bill No. 106:

Strike out the enacting clause.

Mr. Adams withdrew the amendment.

Mr. Carson offered the following amendment to Senate Substitute for House Bill No. 106:

After the word "barrels" in title insert "in original packages."

Mr. Carson moved the adoption of the amendment.

Which was agreed to.

Mr. Carson offered the following amendment to Senate Substitute for House Bill No. 106:

Insert the words "in original packages," after the word "barrel" in Section 1, also in Section 2.

Mr. Carson moved the adoption of the amendment.

Which was agreed to.

Mr. Carson moved the adoption of the substitute for House Bill No. 106.

Which was agreed to.

Mr. Carson moved that the rules be waived and Senate Substitute for House Bill No. 106 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Substitute for House Bill No. 106 was read a second time by its title.

And Senate Substitute for House Bill No. 106 was referred to the Committee on Engrossed Bills.

Mr. Butler moved that the rules be waived and Senate Bill No. 155 be recalled from the Engrossing Committee.

Which was agreed to by a two-thirds vote.

And

Senate Bill No. 155:

A bill to be entitled an act to establish a standard of weights and measures for the State of Florida.

Was taken up.

Mr. Butler asked permission to withdraw Senate Bill No. 155.

Which was granted.

And Senate Bill No. 155 was withdrawn.

Senate Bill No. 217:

A bill to be entitled an act to provide for the sale of school books in this State, and prescribing the manner in which they are to be sold.

Was taken up and read the second time in full.

Mr. Peacock offered the following amendment to Senate Bill No. 217:

Add to Section 2: "The County School Superintendent shall be further required to exchange books of a higher grade for books of a lower grade, at his option, the purchaser paying the difference in price. Said Superintendent and his authorized agents shall not be considered as dealers in books."

Mr. Peacock moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 217, as amended, was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 220:

A bill to be entitled an act to establish and maintain in county and State schools a uniform standard of higher instruction, to prescribe penalties and make appropriations incident thereto, and to prescribe for official designations for State Normal Schools and Colleges.

Was taken up and read the second time in full.

Mr. Wilson of 7th offered the following amendment to Senate Bill No. 220:

Insert after the word "education" in line 2, Section 6 (printed bill), the following: "on investigation and report of the executive committee of the High School and College Commissioners hereinafter provided for."

Mr. Wilson of 7th moved the adoption of the amendment.

Which was agreed to.

Mr. Wilson of 7th offered the following amendment to Senate Bill No. 220:

After the word "made" in line 12, Section 6, (printed bill) insert the following: "Provided, That no action of the State Board of Education under the provisions of this Section shall operate as a bar to the payment of such debts and accounts as may be outstanding at the time the Superintendent, President or Principal of such institution shall be notified of the withdrawing of its appropriation."

Mr. Wilson of 7th moved the adoption of the amendment. Which was agreed to.

And Senate Bill No. 220, as amended, was ordered referred to the Committee on Engrossed Bills.

A message was received from the Governor.

The following communication from the Governor was read:

State of Florida, Executive Department,  
Tallahassee, May 7, 1901.

Dear Sir—I have the honor to inform you that I have this day signed the following Act, which originated in your Honorable body, and have this day caused the same to be filed in the office of the Secretary of the State:

"An Act to appropriate twenty thousand dollars for the relief of the city of Jacksonville, Fla."

Very respectfully,

W. S. JENNINGS,  
Governor.

House Bill No. 78:

A bill to be entitled an act as to the incorporation of social clubs or societies not for profit.

Was taken up.

And House Bill No. 78 was informally passed.

House Bill No. 95:

A bill to be entitled an act to amend Section 2 of Chapter 4680 of the Acts of 1899, the same being an act entitled an act to provide for county adoptions of Uniformity of Text Books in the public free schools of this State.

Was taken up and read a second time in full, together with the committee substitute therefor, with the following title:

A bill to be entitled an act to provide for county adoptions of uniformity of text books in the public free schools of this State, and to repeal Chapter 4680, Laws of Florida, approved June 2, 1899.

Mr. Carson moved the adoption of the committee substitute for House Bill No. 95.

Which was agreed to.

And the Substitute for House Bill No. 95 was read the first time.

Mr. Carson moved that the rules be waived and Senate Substitute for House Bill No. 95 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Substitute for House Bill No. 95 was read a second time by its title.

And House Bill No. 95, together with Senate Substitute for same, was placed on the Calendar of bills on third reading.

Senate Bill No. 213:

A bill to be entitled an act to repeal an act to authorize the city of Palatka to borrow money by issuing bonds for water works and a system of sewerage, approved May 29, 1897, being Chapter 4645 of the Laws of Florida.

Was taken up.

Mr. Crill moved that the rules be waived and Senate Bill No. 213 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 213 was read a second time by its title.

Mr. Crill moved that the rules be further waived and that Senate Bill No. 213 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 213 was read a third time in full.

Upon call of the roll on the passage of the bill—

The vote was:

Yeas—Messrs. Adams, Baker, Blitch, Broome, Butler, Carson, Crews, Crill, Kirk, Law, Miller, McCaskill, McCreary, Neel, Palmer, Peacock, Sams, Wilson of 7th and Williams—19.

Nays—None.

So the bill passed, title as stated.

#### BILLS ON THIRD READING.

Senate Bill No. 170:

A bill to be entitled an act in relation to the examination and licensing of pilots by Pilot Commissioners.

Was taken up.

Mr. Blitch moved that Senate Bill No. 170 be informally passed, and take its place at foot of Calendar of bills on third reading.

Which was agreed to.

House Memorial No. 101:

A Memorial to the Congress of the United States of



America relating to lands for the Seminole Indians of Florida.

Mr. Kirk moved that House Memorial No. 101 be informally passed.

Which was agreed to.

House Bill No. 168:

A bill to be entitled an act to amend an act approved May 27, 1899, and entitled "an act to enable the city of Tallahassee to exercise the powers provided by Chapter 4600 of the Laws of Florida, entitled "an act to enable cities and towns to manufacture and distribute gas and electricity, and to construct, purchase, lease and establish and maintain within its limits one or more plants for the manufacture and distribution of gas and electricity for furnishing light for municipal use, and for the use of such of its inhabitants as may require and pay for the same, as herein provided," approved June 5, 1897; and to declare the manner in which such city may exercise such power," and also to authorize said city to locate, maintain and operate any part of such plant without and adjacent or near to said city, and to acquire and hold land necessary for such purpose.

Was taken up and read a third time in full and put upon its passage.

Upon call of the roll on House Bill No. 168—

The vote was:

Yeas—Messrs. Baker, Blitch, Broome, Butler, Carson, Crews, Crill, Dimick, Kirk, Law, Miller, McCaskill, McCreary, Neel, O'Brien, Palmer of 14th, Peacock, Whidden, Sams, Wilson of 4th, Wadsworth and Williams—22.

Nays—None.

So the bill passed, title as stated.

House Bill No. 152:

A bill to be entitled an act to amend Section 1780 of the Revised Statutes of the State of Florida, relating to writs of error to judgments in cases of habeas corpus.

Was taken up and read the third time in full, as amended, and put upon its passage.

Upon call of the roll on House Bill No. 152—

The vote was:

Yeas—Messrs. Baker, Blitch, Butler, Carson, Crews, Crill, Dimick, Kirk, Law, Miller, McCaskill, McCreary, Neel, O'Brien, Palmer of 14th, Peacock, Whidden, Sams, Wilson of 7th, Wadsworth and Williams—21.

Nays—Messrs. Broome and Wilson of 4th—2.

So the bill passed, title as stated.

Senate Bill No. 12:

A bill to be entitled an act regulating the manufacture and sale of food products.

Was taken up and read a second time in full, and put upon its passage.

Upon call of the roll on Senate Bill No. 12—

The vote was:

Yeas—Messrs. Baker, Blitch, Broome, Carson, Crews, Crill, Harris, Law, McCaskill, McCreary, Palmer of 14th, Sams, Wilson of 4th and Williams—14.

Nays—Messrs. Adams, Dimick, Kirk, Miller, Neel, O'Brien, Peacock, Whidden, Wilson of 7th and Wadsworth—10.

So the bill passed, title as stated.

By permission—

Mr. Harris, Chairman of the Committee on City and County Organization, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Committee on City and County Organization, to whom was referred—

Senate Bill No. 230:

A bill to be entitled an act to prescribe and enlarge the powers of the city council of Ocala in relation to licenses and taxes upon any and all professions, business or occupations carried on or managed in said city.

Also,

Senate Bill No. 234:

A bill to be entitled an act to enable cities, towns and villages incorporated under any general or special law of this State to fix the rates and charges for the supply of water furnished by any individual company or corporation to any such city, town or village and the inhabitants thereof.

Beg leave to report that they have had same under consideration and recommend that said bills be passed by the Senate.

Very respectfully,

W. HUNT HARRIS,

Chairman of Committee.

And Senate Bills Nos. 230 and 234, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Broome said:

Mr. President, as the funeral of Adjutant-General Houghton takes place at 5 o'clock this afternoon, I move that the Senate do now adjourn till 8 o'clock this evening.

Which was agreed to.

Thereupon the Senate stood adjourned till 8 o'clock this evening.

## NIGHT SESSION.

8 O'CLOCK P. M.

The Senate met pursuant to adjournment.

The President in the Chair.

The roll being called, the following Senators answered to their names:

Mr. President, Messrs. Adams, Baker, Blich, Broome, Butler, Carson, Cottrell, Crews, Crill, Dimick, Kirk, Law, Myers, McCaskill, McCreary, O'Brien, Peacock, Rouse, Whidden, Sams, Wilson of 4th, Wilson of 7th, Wadsworth and Williams.

—24.  
A quorum present.

The President stated the special order for this time to be the report of the Committee to Draft Resolutions on the death of Hon. Thomas Peter Chaires, late Senator from the Twelfth District, and appropriate exercises thereon.

Mr. Cottrell, on behalf of the Committee, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 7, 1901.

Hon. Thomas Palmer.

*President of the Senate:*

Sir—Your committee appointed to draft suitable resolutions commemorative of the late Senator Thomas Peter Chaires, beg leave to report the following:

Whereas, on the 17th of August, 1899, just a little over a month after the final adjournment of the session of the Legislature of 1899, the Honorable Thomas Peter Chaires, then representing the Twelfth Senatorial District in the Senate of Florida, was stricken down by the inexorable hand of death in the full bloom of a vigorous and stalwart manhood, and at the zenith of a career of conspicuous usefulness to his district and State; Therefore be it

Resolved by the Senate, That by the death of the Honorable Thomas Peter Chaires the State of Florida has lost one of her most prominent, useful and patriotic sons—one who gave to her service in war, the ardor of his youth; and, in peace, the sage counsel of his mature years and we his colleagues in the Senate have been deprived of a sound, wise, conservative and

sagacious counselor, and a loyal, generous, kindly and warm-hearted associate.

Resolved, further, That, as a mark of respect to his memory, these resolutions be spread upon the Journal of the Senate, and that, upon the conclusion of the commemorative exercises, the Senate adjourn for the day; and that an engrossed copy of these resolutions be forwarded by the Secretary to the family of the deceased, as a token of our sympathy for them, and of our high esteem of him.

Very respectfully,

E. L. COTTRELL,  
F. W. SAMS,  
FRED. T. MYERS,  
F. ADAMS,  
C. B. ROGERS.

Mr. Cottrell moved the adoption of the report, which was seconded by Mr. Myers.

Mr. Myers said:

Mr. President:

As a member of the committee that reported the resolutions that have just been read, it would be appropriate for me, upon the motion to adopt them, to say some word in eulogy of our deceased colleague; but there is an additional consideration which moves me to the sad but sacred duty of paying a tribute to his memory—that consideration is the fact that I represent the county of his birth, where clustered the tender memories of his childhood, and for whose people—among whom are numbered many of his blood—he always entertained and manifested the most affectionate solicitude.

Thomas Peter Chaires was born in Leon county, Florida, March 12th, 1847. His father was Green D. Chaires, and his mother, Anna Maria Parkhill. Both his parents belonged to families prominent in the history of Middle Florida; and whose wealth and social qualities did much to establish the reputation of this section for culture and refinement. The subject of my remarks passed the early years of his boyhood in affluence, surrounded with all the advantages that wealth and refinement could bestow. He attended the West Florida Seminary, at Tallahassee, where, because of events shortly to follow, he received practically his entire academic education; for, like nearly every Southern youth, who was his contemporary, he abandoned classic halls, when the dread alarm of war was sounded, and Florida, and her sister Southern States, marshaled their sons for battle. While a mere stripling, he enlisted in Gamble's Artillery, a battery organized at Tallahassee, but was shortly afterwards transferred to Scott's cav-

ally, to be with an elder brother, who belonged to that command. While his military service was confined to Florida, he participated in all the principal engagements which took place in the State, having taken part in the battles of Olustee, Gainesville, and Natural Bridge, besides other minor affairs. Tall and athletic in build, with handsome features and flashing eyes, and, withal, a magnificent horseman, he made an ideal cavalryman. And never a cavalier that followed the banner of the fiery and impetuous Rupert, at Marston Moor, or the white plume of the superb and matchless Murat, as it fluttered like a torn banner among the flashing scimitars of the fierce and fanatical Mamelukes, sat his steed with firmer seat, or rode upon the serried ranks of an enemy with more dauntless mien than this gallant young Florida trooper.

At the close of the war, his restless and indomitable spirit would not permit him to sit idly down, and bewail the loss of his patrimony by the fortune of war; but impelled by the same courage and hardihood that had made him the tireless and dauntless soldier, he shipped as a sailor on a vessel bound from St. Marks to New York. After making several voyages, he quit the sea, and settled at Cedar Key, where he entered upon a mercantile business; but this proving too confining for his active spirit, he abandoned it, and moved to Old Town, in Lafayette county, where he began farming and cattle raising. This business was conducted by him with such energy and judgment that it rapidly developed into large proportions, and at the time of his death he was possessed of a comfortable fortune.

While never seeking political preferment for himself, he always manifested a keen interest in public affairs; and was a conspicuous and influential member of many of the political conventions of the Democratic party; and men with political ambitions were always anxious to count him as their friend. But a man of his aggressive nature, magnetic temperament, and patriotic spirit could not well avoid being called into the service of his people in public matters; and he was elected a member of the House of Representatives of 1885, and a member of the Senate of 1887 and 1899. But before serving out the full term to which he was last elected; and, while apparently in robust health, he was stricken with the fatal malady that took him off.

There are few of his contemporaries that were more beloved. His frank and genial manner, his unselfish devotion to his friends, his fearless advocacy of right, endeared him to his associates. His liberal and generous spirit, his sympathy for those in distress, his charity for those in need, brought many

to his home, where he dispensed a gracious and bountiful hospitality; and those who came went away his grateful and devoted friends.

As a legislator he was alert and watchful; but while he guarded with jealous care the interests of his constituents, he was too broad and conservative to insist upon their demands when conflicting with the general good. While he could, when occasion demanded, urge with clearness and force, upon the floor of the Senate, his views upon questions under debate, his power chiefly lay in the magnetism of his personality, and his ability to disarm opposition to his measures by friendly discussion.

At the time of the adjournment of the last Legislature there was no member of that body who apparently possessed a more rugged constitution, or had promise of a longer or more useful career than he; and the announcement of his death, so shortly afterwards, came as a surprise and shock to his colleagues, who had but lately parted with him; and there was sorrowing throughout Florida, when it went forth that the noble spirit that animated his magnificent frame had taken its eternal flight; and I might say, in the language of one of America's most gifted orators, that "were everyone to whom he did some loving service to bring a blossom to his grave, he would sleep to-night beneath a wilderness of flowers."

Mr. Sams said:

Mr. President:

When this Senate adjourned with the fall of the President's gavel, at the last session of the Legislature, and we were about to disperse to our respective homes, Thomas Peter Chaires, then a member of this body, took me by the hand, in friendly adieu, and cordial good wishes.

When we reassembled at the beginning of this session it was to look upon his vacant chair, and to realize that he had gone to join another Senate in a better and higher sphere.

He was my friend—the friend of my early manhood and maturer years.

We were comrades in the tented field, where the men that wore the blue and the men in gray met in mortal combat. I learned to love him then, and our affection continued to the end of his life. When I come, therefore, to speak of him now, you can appreciate the depths of my feelings. The words I utter here are not those of formal eulogy—they are not the mere conventional phrases of respect and regret which one may speak of a colleague. But inadequate as they may seem, they are the tribute of true and loyal friendship. If the gift of eloquence were mine—if the power word-painting were given

me—I would weave a wreath of immortelles that should be worthy of him whom I speak. But alas! my untrained tongue refuses to picture my sorrow or frame my grief.

Tom Peter Chaires was noble, brave and true. He was manly, honest and sincere. He was generous, and he was just.

It has been said that "an honest man is the noblest work of God." If this be true, then my dead friend was a jewel of God's noblest and finest creative genius. There was no deception or guile in him; and his word was as good as his bond. He fought his own battles, and made his way through the world, depending only on his own exertion. He did not complain at fate when the tide was against him; and he was, under all circumstances, a manly man. He was a loyal friend, a kind husband, and an indulgent father.

He has made his impress upon his native State, and the world is better for his having lived in it. In the ordinary course of nature, and by reason of a strong physical constitution, death should long have spared him to his family, his country and his friends; but, though prematurely called, he met the great inevitable change with the firmness and faith of a soldier and a Christian.

Sir, how thick and fast comes the warning to us all—that this earth is not our abiding homes; that our lives are as fleeting shadows—a moment here on this shoreless, illimitable ocean of time, then gone forever. On every hand, and keeping time with the days and almost the hours, our friends and our comrades depart, recede from our loving embrace, and disappear from our tearful gaze. How empty and how pitiful the conflicts and asperities of human ambition.

Sir, it seems but yesterday that our old comrade, Tom Peter Chaires, walked and thought and toiled in our midst. But we shall see him here no more among living men.

Near his old home, in Lafayette county, on the banks of the far-famed Suwannee, all of him that was mortal will repose for ever; and Volusia joins Lafayette as a mourner for her honored dead, and lays an evergreen garland of gratitude for his services, and affection for his memory on his grave.

My friend, sleep on!

"There is no death: the stars go down  
To rise upon some other shore;  
And bright in heaven's jeweled crown  
They shine forevermore."

Mr. Adams said:

Mr. President and Fellow Senators:

Once more we have halted for a moment in the march of

events to decorate a new-made grave. Once more the shadow of a dark wing falls across our pathway, and a sudden chill admonishes us of the nearness of an unseen presence.

Death is as universal as life itself. It is the one fact that must come to all mortality. Soon or late to every one of us will come the relentless messenger with the stern command, "Come!" No pleadings of engagement here, no excuse of unpreparedness, no influence of the powerful or prayers of the living can stay the stern decree or buy off the grim executioner.

The great archer leveled his shaft, and Tom Peter Chaires was stricken from our midst. It seems but yesterday, Mr. President, that he who was my warm, faithful friend while he lived, and whose memory I revere now and shall throughout my allotment of coming time, stood on the floor of this Senate contending in a modest, unassuming, yet forceful way for principles and legislation that tended toward the betterment and upbuilding of the whole State. Death is a mighty mystery, but so, too, is life.

Once a poet's love lay dead. He was a dreamer of great and beautiful dreams, and had woven many a sweet fancy into rhythmic verse. On his knee sat his little one, gazing at the dead white face, her trusting child-love throbbing about her wounded heart, and meeting her eyes of blue he said, "You don't know what it is, dear?" and added, "Nor do I."

"We know not what it is, dear, this sleep so deep and still;  
The folded hands, the awful calm, the cheeks so pale and still;  
The lids that will not lift again, though we may call and call;  
The strange white solitude of peace that settles over all.

But this we know: Our loved and dead, if they should come  
this day—

Should come and ask us, What is life? Not one of us could  
say.

Life is a mystery as deep as ever death can be."

Tom Peter Chaires was always frank and candid, he was entirely free from even the appearance of a demagogue. He hated shams and despised pretensions. He had his faults, for who has not? There has never been but one perfect life on earth, and weakness and frailty are the common heritage of men. His frailties I did not know. He undoubtedly had them. I hope so. They are incident to the most exalted natures, they are essential to an exhaustive portrayal of a complete and lovable character; they are the shadows which



Nature, no less than Art, demands for her most perfect work. The hopes and fears, the joys and sorrows, the aspirations and temptations, the defeats, the successes of fifty-three years of this animated life, must have swayed him at times, and in all probability he did not escape every pitfall. But I am happy to say that whatever his faults may have been, I never discovered them. To me he was a pure, true, noble man and a sincere and devoted friend.

But the warm heart that won my friendship and esteem has ceased to beat. The open hand, whose hearty grasp gave expression to the warmth of his generous heart, is cold and pulseless. The speaking eye, revealing the purity of the soul within, is dull and expressionless.

We eulogize the dead, raise monuments to heroes, embalm the memory of statesmen in the archives of State and nation. The eulogy is forgotten, the monument crumbles, the archives are obliterated, but such a life as Tom Peter Chaires lived is a memorial that time cannot destroy, for "Each man makes his own stature, builds himself; virtue alone outbuilds the pyramids; her monuments shall last when Egypt's fall."

The legacy of such a life is better than silver and gold; it may well be emulated not only by the family of boys he has left, but by the youth of the land. Remembering that

We, too, will go over the river of rest,

As the strong and the lovely before us have gone;

Our sun will go down in the beautiful west,

To rise in the glory that circles the Throne.

Until then we are bound by our love and our faith

To the saints who are walking in Paradise fair;

They have passed beyond sight at the touching of death,

But they live, like ourselves, in God's infinite care."

The sculptor's chisel, the meteors of thought flashing from the poet's pen, the biography penned in chaste and beautiful language and the melody of song, have all been employed to perpetuate after death the memory of those who in life were beloved for their patriotism, heroism and statesmanship; but greater, more enduring and more to be desired than any one or all of these is the monument of a life devoted to duty, guided and controlled by the rule of conduct taught and practiced by the great Exemplar and Saviour of mankind in Judea nineteen hundred years ago: "Love thy neighbor as thyself." Such a life was that of Tom Peter Chaires. Whatever his foibles and frailties may have been, none deny that he loved his neighbor like himself.

No truer representative of an intelligent, honest and noble people ever held commission on this floor than Tom Peter Chaires. With no alloy of selfishness or self-seeking to mar the fair proportions of his character, he seemed to avoid rather than seek distinction and prominence. High individual character must always be the most valued product of a free State, and on the other hand no contribution can be made by the citizen to the upbuilding of his State and the wellbeing of society more valuable and enduring than the high character himself achieves by the practice of private and civic virtues. Such a character is always stronger than speech. The latter is only one mode of expression of the former, but there are a hundred other ways, often unseen, in which character exerts its potent influence on the thoughts and action of men.

I would not give the reputation universally accorded to Tom Peter Chaires for all the applause that ever greeted the ear of victory, or for all the laurel wreaths that ever adorned the achievements of fame.

What is victory, and what is fame, compared with character? What is success compared with truth and sincerity? What do all these temporary and transient honors amount to, that are but the fleeting possessions of a few days and then forgotten, compared with that immortal honor of having done what was right because it was right, and dying with the conscious satisfaction of having faithfully maintained the principles of truth and justice at the post of public duty?

Tom Peter Chaires worshipped in his own way the great God who made him. "He revered God and did his duty." The sentence is prosaic, but it expresses all that is best in the philosophy of moral and practical life. Some one said "Obtrusive piety is not conclusive proof nor the best proof of sanctity." The Publican is sometimes better than the Pharisee. "God is, and is good." Who believes that, embraces the best of all creeds and wears upon his heart the jewel of the purest faith. And in practical, everyday life man does his duty when, and only when, he does his best. This he did. His work on earth is ended. In life no duty was shirked, no responsibility shifted; every difficulty was met and mastered. His spirit has gone to the God who gave it, while the waters of the beautiful Suwannee, famed in story and in song, ceaselessly chant a requiem to his ashes.

Good-by, good friend, soldier, statesman, gentleman. Beyond the clash of continents, the ruin of worlds and the wreck of time, we shall meet in God's own appointed way. Farewell, farewell.

Mr. Carson stated that Mr. Rogers was detained in Jacksonville by the calamity that has recently swept that city. In this morning's mail he had received a letter from a friend of Mr. Rogers enclosing a copy of the remarks he would have made could he have been present. He therefore requested that the Secretary read Mr. Rogers' eulogy on the death of Hon. Thomas Peter Chaires.

The following are Mr. Rogers' remarks:

In all of my public career I have brought to no public duty a readier or more earnest acquiescence than that of paying, in my humble way, a tribute to the memory of the late Thomas Peter Chaires. It is a sad duty, however, and it seems but yesterday that he had his place here among us where those roses lie; and it seems that one has but to turn to catch his smile that brightened up the room like sunshine. My only regret is that I could not have the high privilege of paying this tribute to him living instead of dead.

I first had the pleasure of meeting Mr. Chaires in Cedar Keys in 1869. Since that time I have known him intimately. He was to me an unswerving friend, but he had many friends, and many called him friend, and to them his home, his heart and his purse were open. But I feel sure that the most eloquent tribute any friend of his could pay him would not be undeserved. His was a splendid and magnetic manhood, but beyond that was a loyalty to duty and a devotion to principle that excited admiration even in the hearts of those who did not personally know him.

His service to Florida was not alone in these quiet legislative halls nor in the councils of his party, but in the very forefront of battle. When the storm of war burst over the South, and Florida sounded the bugle to her defense, none responded with more alertness than he, none braved a danger he was not ready to face, and wherever strife raged fiercest, wherever the bullets were the thickest, there he was, a cool, devoted, valiant and intelligent champion. Indeed, in the victories won on Florida soil, one of them not far from this old city, he played no small part, both in strategy and valor. I sometimes think he was born a soldier, that the spirit of the chevalier was part of his nature, and yet again I feel that his was a heart too tender for the grim duty of war.

When the dream of the South was ended, when the Stars and Bars that had fluttered to the cheers of victory in so many hard-fought fields was at last trailed in defeat, ragged, torn, scarred and smoked in the storm of victory or defeat, he, like the thousands the South had at the front, who re-

turned to homes and fields often desolate and unfertile, sought his way back to his place of duty. He had no time then for recrimination—for telling of the might-have-beens—for idle regrets, but put his hand to the plow to turn the furrow again and to build up the fortunes of the South. In this peaceful pursuit—but peaceful in name alone for many years—he fulfilled his duty, he inspiring many others, who had become discouraged, likewise to do theirs, and to do it despite the many obstacles in the path, and although the way was dark and no sunshine of hope found its way to their hearts. From the toil of such sons as these that new South arose upon the ashes of war. And I sometimes think that her building was the noblest, the proudest work of all.

In war and peace his course was characterized by loyalty, uncompromising honesty and the courage to do the right as he saw it, despite the temptations of popular favors. He was unbiased by personal considerations, despised the flatterer and the hypocrite and was fearless in the expression of his opinions; and yet, withal, his nature was so kindly that none he opposed harbored ill-will against him. They paid him always the tribute of a fair opponent, one who stooped to no mean or unworthy advantage.

Thus, in the dark hours of war, in the years of reconstruction, forming the most soul-trying period in Florida's history, or as a public servant, with the searchlight shining upon him, he bore unblemished and unshadowed by wrong a knightly banner—an inspiration to those who were his companions in this assembly, to those others who have heard of his worth, and to our sons who will some day fill our places. As long as truth and honor are revered in our homes, thus long will endure the bright memory of one of God's noblemen—my friend and your friend—Thomas Peter Chaires.

Mr. Broome said:

Mr. President and Gentlemen of the Senate:

With feelings of no ordinary character do I appear to drop a flower to the memory of my friend, Senator Thomas P. Chaires.

Though, at times, we differed materially upon some of the great pending political issues, those differences never once disturbed our social relations which so long and so pleasantly existed.

It was my proud privilege to know him well, and pleased am I that the resolution offers an opportunity that I may publicly add my testimony to the honesty of his convictions and to the sublimity of his integrity.

Mr. President and Gentlemen of the Senate, an eminent bard tells us that "flowers are born to blush unseen, and waste their sweetness upon the desert air;" but when I throw my eyes upon those beautiful flowers, emblematic of love and admiration, and which so properly decorate his desk, I can no longer endorse the sentiment of the poet, for these flowers serve a holier purpose, and will ever keep alive the memory of the living and the gratitude of the dead.

Though I regard no mortal man perfect, I am sincere in declaring that Thomas P. Chaires approached the standard as near as any I ever knew. No blot ever bedimmed the purity of his integrity, or darkened the luster of his reputation, and though we can never more in this life gaze in admiration upon his manly bearing, his genial countenance, or share that sympathetic spirit which so freely flowed from his warm and generous heart, yet may we hope to meet him in glory, there to drink the melodious strains of angels, sweetly rendered in honor of the many virtues of Thomas P. Chaires.

The report of the Committee on the death of Hon. T. P. Chaires and the resolutions contained therein, was then adopted by a unanimous rising vote.

Mr. Myers moved, as a further token of respect to the memory of the deceased, that the Senate do now adjourn.

Which was agreed to.

Thereupon the Senate stood adjourned untill to-morrow morning at 10 o'clock.

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### WEDNESDAY, MAY 8, 1901.

Senate met pursuant to adjournment.

The President in the chair.

Upon call of the roll, the following Senators answered to their names:

Mr. President, Messrs. Adams, Baker, Blitch, Broome, Butler, Carson, Cottrell, Crews, Crill, Denham, Dimick, Harris, Kirk, Law, Miller, Myers, McCaskill, McCreary, MacWilliams, Neel, O'Brien, Palmer of 14th, Peacock, Rouse, Whidden, Sams, Wilson of 7th, Wadsworth and Williams—

30.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal was corrected and approved.